

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE

COPY

Christopher Bell,)
Grievant)
v.)
Department of Corrections)
State of Delaware,)
Agency)

Docket Number 05-12-348

ORDER OF DISMISSAL

Before Brenda C. Phillips, Chairperson, John F. Schmutz, Paul R. Houck and Joseph D. Dillon, Board Members, constituting a quorum of the Board pursuant to 29 Del. C. Section 5908(a).

And now, this 29th day of November, 2006, it appears to the Board that the appellant, Christopher Bell, has decided to withdraw his appeal (see attached letter from Christine Whitehead, who is an attorney for Mr. Bell's union.) The Dept. of Corrections, through their representative, Kevin Slattery, has no objection to this action.

Therefore, IT IS ORDERED that the appeal is DISMISSED as the grievance is withdrawn.


Brenda Phillips, Chairperson


Paul R. Houck, Member


John F. Schmutz, Member


Joseph D. Dillon, Member

Original: File
Copies: Grievant
Agency
Agency's Representative
Board
State personnel Office (2 copies)

DATE MAILED

Dec. 1, 2006

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November 27, 2006

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Kevin Slattery, Deputy Attorney General
Department of Justice, State of Delaware
Carvel State Office Building, 820 North French Street
Wilmington, DE 19801

Re: Christopher Bell v. DOC, Carver v. DOC and misc. other matters

Dear Jean and Kevin:

The Neuberger Firm is declining to represent Christopher Bell. I contacted him by phone and he decided that he will not pursue his appeal to MERB. We need to cancel his hearing scheduled for December 7th. I left a message on Jean's phone today to that effect. I'm sorry it took so long to reach this point. With my long bout with the flu and the long holiday making it impossible to reach people who had information I needed to assess the case, I could not get a decision until today.

I understand that Rosal did go forward without us and that the Board extended their usual courtesy and patience to him. They are truly the finest example of citizen board members in Delaware.

Regarding the new appeals Bill Wharton filed, I have asked him for information on them and he agreed to send his files to me asap. I also asked him to allow me to review any future case before it is filed with MERB as long as the Union has a policy requiring my review before they decide whether they will pay for Tom's representation on an appeal.

Donna Thompson is leaving COAD's office in about a week, so when you have questions, Jean, you may need to call me directly until her replacement is brought up to speed on grievances. My cell phone number is 530-5249. COAD should still be copied on all correspondence. That is very important when they are trying to provide services to their members. Without Donna's excellent record-keeping, my job would have been very difficult this past year.

Kevin, when you get back, please call me about Carver. Jean would like to have an answer about whether he is going to reschedule.

Thank you. Again, I'm sorry for the delay but I have to be as thorough as possible when a member believes he has grounds for an appeal.

Yours truly,


Christine Whitehead, Esq.